

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Fan, et al.

Serial No.: 10/725,378 **Group Art Unit:** 2129
Filed: December 3, 2003 **Examiner:** Coughlan, P. D.
For: SYSTEM AND METHOD FOR SCALABLE COST-SENSITIVE LEARNING

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Sir:

In response to the Office Action mailed on December 11, 2008, and prior to evaluation on the merits for concurrently-filed RCE, please amend the above-identified application, as follows:

Amendments to the Specification are reflected on page 2.

Amendments to the Claims are reflected in the listing of claims, which begins on page 3 of this paper. The claims are amended for consistency with the recent holding in *Bilski*, as best understood at this time, although it is noted that *Bilski* addressed facts in which a business method was claimed and described as being executed mentally. Neither of these aspects are present in the present application.

Remarks begin on page 12 of this paper.